

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

Claim 1 is amended to recite that the cutting head carries a plurality of circumferentially spaced cutting blades mounted thereon, and that the impeller has a plurality of impeller blades arranged for rotation in close approximation to the cutting blades of the cutting head. Moreover, claim 1 is amended to recite that the cutting head is rotationally locked with the support ring via the mounting ring to permit the impeller to be rotatable relative to the cutting head which remains generally stationary relative to the impeller.

Support for the amendment to claim 1 is found in Figs. 1, 2 and 5 of the drawings of the pending application, and in corresponding sections in the specification such as in paragraph [0019].

It will be noted that claim 1 was not amended as suggested in the Office action to recite that the rotary impeller is rotationally locked with the mounting ring. This is because the cutting head is actually rotationally locked with the support ring via the mounting ring. The impeller is intended to rotate relative to the cutting head which is intended, via the interlocking arrangement of the support and mounting rings, to remain stationary relative to the impeller.

Claims 6 and 13 are amended with the allowable subject matter of claims 16 and 17, respectively. These claims are considered to be in condition for allowance.

Entry of the amendment to the claims is respectfully requested in the next Office communication.

2. Rejection of claims 1, 2, 6-8, 13 and 14 under U.S.C. § 103(a) as being unpatentable over U.S. patent 4,799,626 (*Hickel*) in view of U.S. patent 2,101,679 (*Hull*)

Since claims 6 and 13, and the claims dependent from thereon, are placed in condition for allowance, the following comments are only directed to the rejection of claims 1 and 2 in view of the cited prior art.

As mentioned above, claim 1 is amended to particularly recite the cutting blades of the cutting head, and the impeller blades of the impeller. Moreover, the cutting head is particularly described as being stationary relative to the impeller.

Upon a review of the proposed combination of *Hickel* and *Hull* in view of amended claim 1, it is determined that this proposed combination fails to render amended claim 1 *prima facie* obvious since the proposed combination fails to possess all of the claimed features of claim 1, and further there is no motivation among either of *Hickel* or *Hull* that would motivate one skilled in the art to modify the food processor of *Hickel* in the manner required by amended claim 1.

Turning to the description of *Hickel*, it is readily apparent that *Hickel* does not disclose or suggest the cutting head and impeller arrangement recited by amended claim 1. Specifically in observing Fig. 1, *Hickel* describes the blade (12) as effectively constituting both an impeller and a cutting head. It follows from Fig. 1 of *Hickel* that this patent cannot be construed to teach a cutting head having a plurality of cutting blades that remain stationary relative to an impeller having impeller blades due to an rotational interlocking arrangement of support and mounting rings.

It is submitted that there is no teaching in *Hickel* that would motivate one skilled in the art to make a cutting head stationary relative to a rotatable impeller.

Therefore, one skilled in the art would not have made a cutting head from *Hickel* having all of the features required by amended claim 1.

In observing *Hull*, it is clear from the action that this patent is only provided as a teaching in the art of flange and protrusion mating surfaces. It does not make up for the aforementioned shortcomings of the cutting head of *Hickel*.

Accordingly, it is submitted that the proposed combination of *Hickel* and *Hull* fails to render amended claim 1 *prima facie* obvious. Therefore, withdrawal of this rejection is respectfully requested.

3. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,



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